

1 STEVEN G. KALAR
Federal Public Defender
2 ANGELA M. HANSEN
Assistant Federal Public Defender
3 1301 Clay Street, Suite 1350N
Oakland, CA 94612
4 Telephone: (510) 637-3500
5 Counsel for Defendant GANDARA

6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION
10

11 UNITED STATES OF AMERICA,) No. CR 15-00150 JST
12)
Plaintiff,) STIPULATION AND ~~PROPOSED~~
13) ORDER TO CONTINUE SENTENCING
vs.) HEARING DATE TO FEBRUARY 10, 2017
14)
15) Hearing Date: November 18, 2016
DAVID GANDARA,) Time: 9:30 a.m.
16)
Defendant.)
17)
_____)

18 The above-captioned matter is set on November 18, 2016 before this Honorable Court for
19 sentencing. For the reasons set forth below, the parties jointly request that the Court continue this
20 matter to February 10, 2017, at 9:30 a.m.

21 On March 5, 2015, the government filed an indictment charging David Gandara in three
22 counts with (1) felon in possession of a firearm and ammunition; (2) possession with intent to
23 distribute 50 grams or more of methamphetamine; and (3) possession of a firearm in
24 furtherance of a drug trafficking crime. On July 22, 2016, Mr. Gandara entered into an open
25 plea on all counts.
26

1 The defense needs additional time with the presentence investigation process and requests a
2 continuance. For example, the defense needs additional time to obtain a psychological evaluation
3 and to obtain mitigation records to provide to the probation office for the report. For these reasons,
4 the defense requests additional time for the presentence investigation process.

5 For these reasons, the parties agree that it is appropriate to continue this case until
6 February 10, 2017. Defense counsel contacted Charlie Mabie who is the probation officer
7 assigned to this case. Mr. Mabie supports this continuance and is available on the requested date.
8 Finally, because Mr. Gandara has pleaded guilty, the parties are in agreement that the Speedy
9 Trial Act does not apply.

10
11 DATED: October 27, 2016

_____/ S /_____
BRIGID S. MARTIN
Assistant United States Attorney


12
13 DATED: October 27, 2016

_____/ S /_____
ANGELA MILELLA HANSEN
Assistant Federal Public Defender

ORDER

Based on the reasons provided in the stipulation of the parties above, IT IS HEREBY ORDERED that the sentencing hearing date of November 18, 2016 is vacated and reset to February 10, 2016, at 9:30 a.m.

DATED: October 28, 2016


THE HONORABLE JON S. TIGAR
United States District Judge